

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

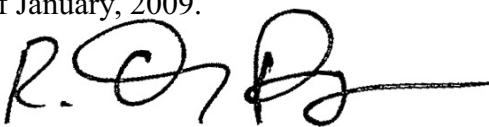
RYAN STEVEN PENDERGRAFT,)
Petitioner,)
v.) Case No.: 5:07-cv-783-RDP-PWG
WARDEN DARRYL DREW, ET AL.,)
Respondents.)

MEMORANDUM OF OPINION

The magistrate judge filed his findings and recommendation on December 2, 2008, recommending that the petition for writ of habeas corpus be dismissed. The parties were allowed an opportunity in which to file objections. No objections have been filed to the findings and recommendation.

Having carefully reviewed and considered *de novo* all the materials in the court file, the court is of the opinion that the magistrate judge's findings are due to be and are hereby **ADOPTED** and his recommendation is **ACCEPTED**. Accordingly, the petition for writ of habeas corpus is due to be dismissed. A Final Judgment will be entered.

DONE and **ORDERED** this 7th day of January, 2009.



R. DAVID PROCTOR
UNITED STATES DISTRICT JUDGE